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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 TOMMIE SLACK,

9 Plaintiff,

10 v.

11 MICHAEL WOODBURY, et al.,

12 Defendant.

CASE NO. C19-159 RSM

ORDER OF DISMISSAL

13 The Court has reviewed the Complaint, Defendants' Motion for Summary Judgment  
14 (Dkt. #38), the Report and Recommendation of the Honorable Brian A. Tsuchida, United States  
15 Magistrate Judge, Mr. Slack's Objections, and the remaining record. The Court agrees with  
16 Judge Tsuchida that Mr. Slack's RLUIPA claims against Defendants in their individual  
17 capacities cannot be maintained, and that the Complaint fails to contain sufficient facts to  
18 support an official capacity claim. The Court agrees with Judge Tsuchida that the undisputed  
19 record reflects a legitimate penological reason for Mr. Slack's removal from inmate worker  
20 status, thus summary judgment dismissal of Mr. Slack's retaliation claim is warranted. Because  
21 the Court is dismissing all of Mr. Slack's federal claims, the Court will decline supplemental  
22 jurisdiction over Mr. Slack's state law claims. Accordingly, the Court finds and ORDERS as  
23 follows:

- 1 (1) The Court ADOPTS the Report and Recommendation;
- 2 (2) Defendants' motion for summary judgment (Dkt. #38) is GRANTED. Plaintiff's
- 3 RLUIPA claims against defendants in their individual capacity and Plaintiff's
- 4 retaliation claim with respect to his removal from inmate worker status are
- 5 DISMISSED. The Court declines to exercise supplemental jurisdiction over
- 6 plaintiff's remaining state law claims and those claims are DISMISSED.
- 7 (3) The Clerk is directed to close the case.
- 8 (4) The Clerk is directed to provide a copy of this Order to the parties and to the Hon.
- 9 Brian A. Tsuchida.

10 DATED this 18<sup>th</sup> day of October 2019.

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12 RICARDO S. MARTINEZ  
13 CHIEF UNITED STATES DISTRICT JUDGE  
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